

UNITED STATES OF AMERICA, )  
 )  
 v. ) Case No: 1:10-CR-151  
 )  
 ) Chief Judge Curtis L. Collier  
 LEONEL LOPEZ-URQUIZA, )  
 also known as, “Juan Carlo Santiago-Rivera” )

Before the Court is Defendant Leonel Lopez-Urquiza's ("Defendant") motion to suppress evidence obtained as a result of his detention and interrogation and as a result of the search of the vehicle Defendant was driving on November 4, 2010 (Court File No. 21). Defendant asserts his Fourth and Fifth Amendment rights were violated. The Court referred the motion and request to United States Magistrate Judge William B. Mitchell Carter pursuant to 28 U.S.C. § 636(b)(1)(B) and (C) (Court File No. 24). Judge Carter held an evidentiary hearing on the matter on February 17, 2011 and February 23, 2011 and issued a Report and Recommendation ("R&R") on the motion (Court File No. 36). Defendant filed timely objections to the R&R (Court File No. 40), and the Government filed a response (Court File No. 41). For the reasons asserted in the Court's accompanying memorandum, the Court **ACCEPTS IN PART** and **ADOPTS IN PART** the R&R (Court File No.36). Defendant's motion to suppress is **DENIED** (Court File No. 21).

**ENTERED:**

/s/  
CURTIS L. COLLIER  
CHIEF UNITED STATES DISTRICT JUDGE